

California Regional Water Quality Control Board  
North Coast Region

ORDER NO. R1-0106-8WDR\*  
ID NO. 1B85023RHUM

CLOSURE WASTE DISCHARGE REQUIREMENTS

FOR

EEL RIVER SAWMILLS, INC.  
MOZZETTI SOLID WASTE DISPOSAL SITE NO. 2  
CLASS III WASTE MANAGEMENT UNIT

Humboldt County

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board) finds that:

1. Eel River Sawmills, Inc., through Bob Mozzetti, operates a Class III woodwaste disposal site in conjunction with nearby lumber mill operations. The disposal site is owned by Bob Mozzetti. Eel River Sawmills, Inc. and Bob Mozzetti are hereinafter collectively referred to as Discharger. Waste Discharge Requirements (WDR) Order No. 94-79, issued by the Regional Water Board on June 23, 1994, permit a four-acre woodwaste landfill.
2. The existing disposal site has been inactive in the last two years, the mills are in the process of being sold and Eel River Sawmills is proposing to construct the cap for the closure of the site. The Discharger submitted a Joint Technical Document/ Report of Waste Discharge dated December 24, 1998, which included a closure and post closure maintenance plan. Supplemental information to complete filing of the application was submitted on January 13, 1999, January 21, 1999, March 3, 1999, January 9, 2001, May 30, 2001, and June 7, 2001.
3. The facility has been constructed in a small canyon located one half mile north of Rio Dell in Section 31, T2N, R1E, HB&M (*latitude 49-31' 10'' and 124 06'' 30'' longitude*) as shown on Attachments "A" and "B" incorporated herein and made part of this Order.
4. The disposal site as delineated in Attachment "B" meets the criteria contained in Title 27, California Code of Regulations (CCR) as a Class III Waste Management Unit (WMU) for non-hazardous solid wastes generated from Eel River Sawmill operations. Wastes accepted for disposal at this site include logdeck cleanup, woodchips, bark, soil and ash.
5. The landfill, which comprises roughly 4 acres of a 12-acre parcel, has a disposal capacity of 71,800 cubic yards and a total volume, including cover material, of 94,300 cubic yards. The Discharger anticipates reaching final grades in June 2001 by landfilling approximately 4000 cubic yards of woodwaste and completing grading with inert material. Final contours and disposal boundaries are shown on Attachment "B".
6. Land uses within one mile of the site are agricultural and timber production with a land use designation of CON-T-R. No domestic wells exist within 1,000 feet of the site.

7. Infiltration of rainfall and decomposition of waste may generate leachate in the waste disposal cells. Leachate is a non-hazardous liquid waste which contains pollutants that could be released at concentrations in excess of applicable water quality objectives or could cause degradation of waters of the state. Leachate shall be collected and managed as a designated waste, which is defined in Section 20210 of Division 2, Title 27, CCR.
8. The site is underlain by a clayey colluvial layer atop the B Member of the Carlotta Formation. A shallow perched aquifer was encountered at the base of the colluvium. Groundwater in the colluvium is not used for domestic purposes. Due to the steep downdip of the Carlotta Formation, groundwater leaving the site will not be used. Geology of the site mitigates against degradation of usable groundwater sources from landfill operations.
9. The site is not located near a known Holocene fault, and no evidence of surface fault rupture or displaced strata was observed at the site. The nearest fault is the Little Salmon Fault, 4 miles northeast of the site.
10. Pursuant to the Financial Assurance Requirements of Title 27, CCR, Eel River Sawmills Inc. has made a demonstration of financial means to finance liability for assurance of financial responsibility to complete closure, post-closure and corrective actions at the Mozzetti Solid Waste Disposal Site No. 2.
11. This Order does not replace the need for a NPDES Storm Water Permit as required by provisions of the federal Clean Water Act (CWA).
12. The Discharger has obtained storm water discharge coverage for the facility under the General Industrial, National Pollution Discharge Elimination System (NPDES), Storm Water Permit. The General Permit No. CAS000001 is issued by the State Water Resources Control Board (State Water Board) under Water Quality Order No. 97-03-DWQ. The permit applies to direct storm water discharges and storm water discharges from the sedimentation basins.
13. Surface water in the vicinity of the site consists of the Eel River. Internal site drainage is collected in drainage ditches, routed through sedimentation basins and discharged to a second order tributary to the Eel River. Average annual precipitation, estimated from the Ferndale monitoring station, is 50 inches.
14. The Regional Water Board Water Quality Control Plan for the North Coast Region (Basin Plan) includes water quality objectives and receiving water limitations.
15. This order implements:
  - a. *The Water Quality Control Plan for the North Coast Region (Basin Plan).*
  - b. The prescriptive standards and performance goals of Chapters 1 through 7, Subdivision 1, Division 2, Title 27, of the CCR, effective July 18, 1997, and subsequent revisions.
16. The beneficial uses of the Eel River and its tributaries include:
  - a. municipal and domestic supply;
  - b. agricultural supply;
  - c. industrial service supply;

- d. groundwater recharge;
  - e. navigation;
  - f. water contact recreation;
  - g. non-contact water recreation;
  - h. commercial and sport fishing;
  - i. warm freshwater habitat;
  - j. cold freshwater habitat;
  - k. wildlife habitat;
  - l. preservation of rare, threatened or endangered species;
  - m. migration of aquatic organisms;
  - n. spawning, reproduction, and/or early development of fish;
  - o. estuarine habitat;
  - p. aquaculture.
17. Beneficial uses of areal groundwaters include:
- a. domestic water supply;
  - b. agricultural water supply.
18. The discharge is presently governed by WDRs Order No. 94-79, adopted by the Regional Water Board on June 23, 1994. This revision of the existing requirements is to address closure of the site and post-closure maintenance activities.
19. A Negative Declaration was prepared and approved by the Humboldt County Planning Commission on May 9, 1985, for the operation and eventual closure of the disposal site to satisfy the requirements of the California Environmental Quality Act. The Regional Water Board has considered the Negative Declaration and has determined that the project will not result in significant environmental impacts.
20. The Regional Water Board has notified the Discharger and interested agencies and persons of its intent to prescribe WDRs for the discharge and has provided them with an opportunity to submit their written comments and recommendations.
21. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.
22. The permitted discharge is consistent with the provisions of State Water Resources Control Board Resolution No. 68-16, Statement of Policy with Respect to Maintaining High Quality of Waters in California. The impact on existing water quality will be insignificant.

THEREFORE, IT IS HEREBY ORDERED that Waste Discharge Requirements Order No. 94-79 and NPDES Permit No. CA0024945 are rescinded and the Discharger, in order to meet the provisions contained in Division 7 of the California Water Code (CWC) and regulations adopted thereunder, shall comply with the following:

#### **A. DISCHARGE PROHIBITIONS**

- 1. The discharge of any waste not specifically regulated by this Order is prohibited.
- 2. The discharge of waste outside of the permitted footprint, as shown on Attachment "B" incorporated herein and made part of this Order is prohibited.

3. The Discharger shall not cause the concentration of any Constituent of Concern to exceed its respective concentration limit in any monitored medium. The concentration limit for each monitoring parameter shall be set at the background concentration. Data analysis shall be performed in accordance with the approved Monitoring and Reporting Program.
4. The discharge of “hazardous wastes” and “designated wastes” at this facility as defined in Title 27, CCR, Section 20164 is prohibited.
5. The discharge of wastes, including leachate, solids, or landfill gas to surface waters, surface water drainage systems, or groundwater is prohibited.
6. The discharge of waste to surface waters or within 50 feet of surface waters is prohibited.
7. The discharge of wastes into ponded water from any source is prohibited.
8. The ponding of liquids, including rainfall runoff and leachate, over solid waste disposal cells is prohibited.
9. The disposal of containerized liquids at this facility is prohibited.
10. Creation of a pollution, contamination, or nuisance, as defined by CWC Section 13050, is prohibited.
11. The discharge of waste to land that is not under the control of the Discharger is prohibited.
12. The discharge of waste from the Eel River Sawmills Mozzetti Solid Waste Disposal Site No. 2 to the Eel River is prohibited.

## **B. DISCHARGE SPECIFICATIONS**

### **GENERAL SPECIFICATIONS**

1. The discharge of wastes shall not cause water quality degradation by allowing a statistically significant increase over background or baseline concentrations as determined in accordance with Monitoring and Reporting Program (MRP) No. R1-0106-8WDR\*.
2. Wastes shall only be discharged into, and shall be confined to, the landfill units specifically designed for their containment.
3. Leachate removed from the landfill shall be disposed of at a legal point of disposal approved by the Executive Officer of the Regional Water Board (Executive Officer).
4. Surface drainage from tributary areas and internal site drainage from surface or subsurface sources shall not contact or percolate through wastes discharged at this site. Drainage ditches shall be located, to the maximum extent practicable, such that they do not cross over landfill areas. Site drainage over landfill areas shall be contained in man-made drainage conveyance structures such as corrugated metal pipe or in drainage ditches which are lined with at least one foot of compacted soil having an in-place permeability of  $10^{-6}$  cm/sec or less.

5. Waste disposal cells shall be designed and constructed to progress in an orderly and timely manner toward final landfill contours. Final contours of the landfill shall be constructed as shown in the Closure Plan contained in the 1999 Joint Technical Document/Report of Waste Discharge.
6. Waste disposal cells reaching final grade shall be provided with final cover within 18 months of cell completion. Final cover shall conform to criteria as specified in Construction Specifications contained in this Order.
7. Timing of final cover application shall be in accordance with the construction schedule submitted within the Joint Technical Document/Report of Waste Discharge. The Discharger shall install a sufficient number of permanent surveyed monuments or benchmarks on and near the landfill from which the elevation of disposal cells can be determined. Such monuments or benchmarks shall be installed by a licensed land surveyor or registered civil engineer.

### **CONSTRUCTION SPECIFICATIONS**

8. All WMU containment structures and erosion and drainage control systems shall be designed and constructed under the direct supervision of a California registered civil engineer, or a certified engineering geologist, and shall be certified by that individual as meeting the prescriptive standards and performance goals of Title 27 prior to waste discharge. Designs shall include a Construction Quality Assurance Plan, in accordance with Section 20324, T27, CCR, the purpose of which is to:
  - a. demonstrate that the waste management unit has been constructed according to the specifications and plans approved by the Regional Water Board; and,
  - b. provide quality control on the material and construction practices used to construct the waste management unit and prevent the use of inferior products and/or materials which do not meet the approved design plans and specifications.
9. Precipitation and drainage control systems shall be designed and constructed to limit, to the greatest extent possible, ponding, infiltration, inundation, erosion, slope failure, washout and overtopping from precipitation conditions of a 100-year, 24-hour storm event.
10. WMUs shall be designed, constructed, and operated to prevent inundation or washout due to floods with a 100-year return period. Class III landfill units and related containment structures shall be constructed and maintained to prevent, to the greatest extent possible, ponding, infiltration, inundation, erosion, slope failure, washout, and overtopping under 100-year, 24-hour precipitation conditions.
11. Materials used to construct the caps shall have appropriate physical and chemical properties to ensure containment of wastes over the operating life, closure and post-closure maintenance period of the landfill. Construction Quality Assurance Reports and as-built drawings shall be submitted to the Regional Water Board within 60 days of construction completion.
12. Clay caps shall be sloped to promote rapid lateral drainage and shall have a minimum thickness of two feet foundation layer and one foot low-hydraulic-conductivity layer. The low permeability layer shall have a minimum hydraulic-conductivity of  $1 \times 10^{-6}$  cm/sec and a minimum relative compaction of 90 percent. In-place permeabilities of

caps shall be determined in the field and in the laboratory using techniques approved by the Executive Officer. Construction methods and quality assurance procedures shall be sufficient to ensure that all parts of the cap meet the permeability and compaction requirements.

13. Final cover material shall be designed and constructed to function with minimum maintenance and shall consist, at a minimum, of a two-foot thick compacted foundation layer, overlain by a one-foot thick clay cap, which is overlain by a one-foot thick vegetative soil layer. The foundation layer shall be comprised of clean on-site soil and compacted to a relative compaction of 85-90 percent. Clay caps shall be constructed as described in Construction Specification C.12 above. Final Construction Quality Assurance reports and as-built drawings shall be submitted to the Regional Water Board within 60 days of installation.
14. **By October 1, annually**, and prior to the anticipated rainy season, any necessary erosion control measures shall be implemented, and any necessary construction, post-closure maintenance, or repairs of precipitation and drainage control facilities shall be completed to prevent erosion or flooding of the facility and to prevent surface drainage from contacting or percolating through wastes.
15. Vegetation shall be established immediately upon final closure of a disposal cell. Vegetation shall be selected to require a minimum of irrigation and maintenance and shall have a rooting depth not in excess of the vegetative soil layer thickness.
16. Installation of the final cover shall be under the direct supervision of a California registered civil engineer or certified engineering geologist. Permeability testing and quality assurance procedures shall be conducted as described in Construction Specification C13 above.
17. Closed WMUs shall be graded to at least a three-percent grade and maintained to prevent ponding and infiltration.
18. Sideslopes shall not exceed a 3:1 horizontal to vertical ratio. Benches shall be installed at every 50 liner feet of slope.
19. All WMU containment structures shall meet the general criteria set forth in Section 20320 of Title 27.
20. Landfill closure shall be in accordance with Sections 20950 and 21090 of Title 27.

### C. PROVISIONS

1. A copy of this Order shall be maintained at the discharge facility and be available at all times to operating personnel. Key operating personnel shall be familiar with its contents.
2. The Discharger shall comply with these WDRs and the attached MRP No. R1-0106-8WDR\*. A violation of the MRP is a violation of these WDRs. The Discharger shall further comply with all applicable provisions of Title 27, CCR, not specifically referred to in this Order.

3. The Discharger shall comply with the attached General Monitoring and Reporting Provisions, which are hereby incorporated into this Order. A violation of any of the standard provisions and reporting requirements is a violation of these WDRs.
4. Prior to any landfill construction the Discharger shall obtain any and all permits required under federal, state, or local laws.
5. The Discharger shall complete final cover construction in accordance with the Construction Quality Assurance Plan contained in the December 24, 1998 Joint Technical Document/Report of Waste Discharge. Any modifications to the plan shall be submitted to the Regional Water Board 45 days prior to commencing construction.
6. The Discharger shall maintain waste containment facilities and precipitation and drainage control systems throughout the post-closure maintenance period, and shall immediately notify the Regional Water Board of any flooding, equipment failure, slope failure, or other change in site conditions which could impair the integrity of waste or leachate containment facilities or of precipitation and drainage control structures.
7. The Discharger shall continue to monitor the WMU and all underlying media per MRP No. R1-0106-8WDR\* throughout the post-closure maintenance period, and shall continue until the Regional Water Board determines that the wastes remaining at the site no longer threaten water quality.
8. The Discharger shall have the continuing responsibility to assure protection of waters of the State from discharged wastes, including leachate, that may be generated and discharged during the closure, and post-closure maintenance period of the facility and during subsequent use of the property for other purposes.
9. The Discharger shall maintain legible records of the volume and type of each waste discharged for each landfill unit and the manner and location of discharge. Such records shall be maintained at the facility or the facility's administration office until the beginning of the post-closure maintenance period. These records shall be available for review by representatives of the Regional Water Board and of the State Water Resources Control Board (State Water Board) at any time during normal business hours. At the beginning of the post-closure maintenance period for each of the landfill areas, copies of these records shall be sent to the Regional Water Board.
10. The Discharger shall provide proof to the Regional Water Board within sixty days after completing final closure that the deed to the landfill facility property, or some other instrument that is normally examined during title search, has been modified to include, in perpetuity, a notation to any potential purchaser of the property stating that:
  - a. The parcel has been constructed as a solid waste disposal site;
  - b. land use options for the parcel are restricted in accordance with the post-closure land uses set forth in the post-closure plan and in WDRs for the landfill; and,
  - c. in the event that the Discharger defaults on carrying out either the post-closure maintenance plan or any corrective action needed to address a release, and then the responsibility for carrying out such work falls to the property owner.

11. The Discharger shall notify the Regional Water Board in writing of any proposed change in ownership or responsibility for closure or post closure maintenance of the landfill. This notification shall be given prior to the effective date of the change and shall include a statement by the new discharger. Remaining closure and post closure maintenance activities shall be in compliance with any existing WDRs and any revisions thereof. The Regional Water Board shall amend the WDRs to name the new discharger.
12. The Discharger shall notify the Regional Water Board by telephone immediately upon learning of any flooding, equipment failure, slope failure, or other change in site conditions which could impair the integrity of waste or leachate containment facilities or the precipitation and drainage control structures. Confirmation shall follow in writing within two weeks of the telephone notification. Any site condition which threatens the integrity of the containment features or disposal site shall be promptly corrected.
13. The Discharger shall remove and relocate any wastes discharged at this site in violation of this Order.
14. The Discharger shall maintain a copy of this Order at the site so as to be available at all times to site operating personnel, who shall be familiar with its contents.
15. **By July 15, 2001** the Discharger shall submit evidence that adequate financial assurance for closure, post closure maintenance and corrective action is still in effect.
16. **By July 15, annually,** following closure construction, the Discharger shall submit a statement that the amount of financial assurance for corrective action and post-closure maintenance is still adequate or increase the amount if necessary.
17. **By July 15, annually,** the Discharger shall submit a statement that the post-closure maintenance plan is still adequate and in conformance with existing regulations.
18. The Regional Water Board considers the property owner to have a continuing responsibility for correcting any problems as a result of this waste discharge which may arise in the future. This responsibility continues during subsequent use of the land including use by subsequent owners.
19. The Discharger shall comply with all notice and reporting requirements of the State Water Board with regard to the construction, alteration, destruction, or abandonment of all monitoring wells used for compliance with this Order or with MRP No. R1-0106-8WDR\* as required by Section 13750 through 13755 of the California Water Code.

#### **GENERAL PROVISIONS**

20. A copy of this Order shall be maintained at the discharge facility and be available at all times to operating personnel.



21. Severability

Provisions of these WDRs are severable. If any provision of these requirements is found invalid, the remainder of these requirements shall not be affected.

22. Operation and Maintenance

The Discharger shall maintain in good working order and operate as efficiently as possible any facility or control system installed by the Discharger to achieve compliance with the WDRs.

23. Change in Discharge

The Discharger shall promptly report to the Regional Water Board any material change in the character, location, or volume of the discharge.

24. Change in Ownership

In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the following items by letter, a copy of which shall be forwarded to the Regional Water Board:

- a. existence of this Order; and,
- b. the status of the Dischargers' annual fee account.

25. Vested Rights

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the Discharger from liability under federal, State, or local laws, nor create a vested right for the Discharger to continue the waste discharge.

26. Monitoring

The Discharger shall comply with the Contingency Planning and Notification Requirements Order No. 74-151 and the MRP No. R1-0106-8WDR\* and any modifications to these documents as specified by the Executive Officer. Such documents are attached to this Order and incorporated herein. Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. The quality assurance/quality control program shall conform to State Department of Health Services guidelines.

27. Inspections

The Discharger shall permit authorized staff of the Regional Water Board:

- a. entry onto premises in which a waste source is located or in which any required records are kept;
- b. access to copy any records required to be kept under terms and conditions of this Order;
- c. inspection of monitoring equipment or records; and,
- d. sampling of any discharge.

28. Noncompliance

In the event the Discharger is unable to comply with any of the conditions of this Order due to:

- a. breakdown of waste treatment equipment;
- b. accidents caused by human error or negligence; or,
- c. other causes such as acts of nature;

The Discharger shall notify the Executive Officer by telephone as soon as it or its agents have knowledge of the incident and confirm this notification in writing within two weeks of the telephone notification. The written notification shall include pertinent information explaining reasons for the noncompliance and shall indicate the steps taken to correct the problem and the dates thereof, and the steps being taken to prevent the problem from recurring.

29. Revision of Requirements

The Regional Water Board will review this Order periodically and may revise requirements when necessary.

Certification

I, Lee A. Michlin, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on June 28, 2001.

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Lee A. Michlin  
Executive Officer

\* Temporary order number, and final number will be assigned when adopted

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